

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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IN RE DINO ROTONDO

Case No. 16-13324

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**ORDER REQUIRING THE FILING OF A SUPPLEMENTAL  
MEMORANDUM AND SETTING STATUS CONFERENCE**

Pending before the court are a Motion to Approve the First Report of the Assignee, (Dkt. #7), and a Motion to Approve the Second Report of the Assignee, (Dkt. #17), filed by Frank R. Simon (“Assignee”), Assignee for the Benefit of Creditors of Dino Rotondo. Responses have been filed to the first motion by creditors Akouri Investments, LLC (“Akouri”) and United States of America. (Dkts. ##9, 10). These creditors also filed responses to the motion to approve the second report, (Dkts. ##19, 20), and Assignee has filed a reply (Dkt. #21.) Assignor Mr. Rotondo has also filed a one-page concurrence with Assignee’s motions. (Dkt. #23.) This court held a hearing on April 19, 2017 that was attended by counsel for all parties.

At the hearing, the court explained the need for additional detail regarding the expenses included in the proposed budgets. Counsel for the Assignee indicated a willingness to prepare documentation along the lines of a Bankruptcy Schedule J to supply additional information. Counsel for all other parties expressed that they were amendable to this suggestion, and the court agrees that this would be a constructive step. Therefore the court will order Assignee to prepare such materials and file them

with the court as a supplemental memorandum to the pending motions.

The court also proposed that the parties might be wise to consider facilitative mediation; the court suggested that an experienced, recently retired bankruptcy judge might be particularly well-suited to the task. Counsel agreed that they would be willing to seriously consider proceeding through a mediation of this type, and would likely suggest such to their respective clients. The court agreed to inquire as to the availability and interest of Eastern Michigan's most recently retired bankruptcy judge for such mediation. A status conference will be held in which the parties will discuss their progress on the exchange of more detailed information along with the extent of their clients' interest in facilitative mediation with a retired judge or anyone else of the parties' choosing.

IT IS ORDERED that Assignee shall file a supplemental memorandum to the pending Motions to Approve Assignee's Reports (Dkts. #7, 17) by **May 12, 2017**.

IT IS FURTHER ORDERED that the court will hold a status conference on **Friday, May 19, 2017 at 1:30 p.m. at the US District Court in Port Huron, Michigan.**

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: April 28, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 28, 2017, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(810) 984-2056